

## HOUSE....No. 189.

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### Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, March 24, 1855.

The Joint Standing Committee on Roads and Bridges, to whom was referred the Order relating to tolls on Charles River Bridge and Warren Bridge, have considered the same, and report the accompanying Bill.

VELOROUS TAFT, *Chairman.*

**Commonwealth of Massachusetts.**

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In the Year One Thousand Eight Hundred and Fifty-  
Five.

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**AN ACT**

In relation to the Charles River Bridge and the Warren  
Bridge.

*Be it enacted by the Senate and House of Representa-  
tives in General Court assembled; and by the authority of  
the same, as follows:—*

1    SECT. 1. The city of Charlestown is hereby au-  
2 thORIZED and empowered, upon the terms and condi-  
3 tions in this act contained, to assume the exclusive  
4 ownership, control and charge of the Charles River  
5 Bridge and the Warren Bridge.

1    SECT. 2. Upon the assumption of such ownership,  
2 control and charge, said city of Charlestown shall  
3 give its bond to the Commonwealth, the form and

4 substance thereof to be approved by the attorney-gen-  
5 eral, with condition that the said city shall always  
6 perform all the duties, and meet all the liabilities, in  
7 relation to said bridges, that are named in the third  
8 section of the act establishing the Warren Bridge  
9 Corporation, passed on March twelve, eighteen hun-  
10 dred and twenty-eight; and further, that said city  
11 shall forever keep and maintain said bridges as public  
12 avenues, free from all expense and cost to the Com-  
13 monwealth, and do all other things required by this  
14 act to be done by said city.

1   SECT. 3. The bond named in the preceding sec-  
2 tion shall be made and executed by the mayor of said  
3 Charlestown on the behalf and in the name of said  
4 city.

1   SECT. 4. Upon the delivery of such bond, the  
2 governor shall, in the name and on behalf of the  
3 Commonwealth, make, execute and deliver a good and  
4 sufficient instrument to said city, to be approved by  
5 the council, surrendering to the city of Charlestown  
6 all the right, title and interest of the Commonwealth  
7 in and to said Charles River Bridge and Warren  
8 Bridge, to the materials of which they are constructed,  
9 and the franchise or right to take tolls originally  
10 granted to the proprietors thereof, (except so far as  
11 the same is modified and controlled by this act,) and  
12 all things pertaining to said bridges belonging to the  
13 Commonwealth.

1   \*SECT. 5. Said city shall thereupon carry forward  
2 and complete the rebuilding and repairs of said

3 bridges to the same extent as was provided for in  
4 the act passed on April twenty-nine, eighteen hundred  
5 and fifty-four, relative to said bridges.

1     SECT 6. After such conveyance shall have been  
2 made, the said city of Charlestown shall be liable for  
3 damages that may be incurred by reason of any defect  
4 in said bridges, or either of them, in the same manner  
5 and to the same extent as towns and cities are now  
6 liable for defects in town ways; and in all respects  
7 said bridges shall be held to be town ways in the city  
8 of Charlestown, so far as such construction may be  
9 consistent herewith; but the city of Boston shall keep  
10 in repair all that part of Warren Bridge connected  
11 with the water-works of said city, and shall be liable  
12 for any damages arising from any defect in, or accident  
13 to, said works.

1     SECT. 7. Hereafter the following tolls shall be col-  
2 lected on said bridges, viz.: For each person on foot,  
3 one cent; for each wheelbarrow, handcart or sled, and  
4 one person, two cents; for each chaise, buggy, rock-  
5 away, carryall, sulky, or covered wagon, and all  
6 other vehicles for passengers drawn by one horse, and  
7 having one seat therein, six cents; for each cab,  
8 chaise, buggy, rockaway, carryall, or other vehicle  
9 for passengers with two or more seats, and drawn by  
10 one horse, eight cents; for each coach, stage, carryall,  
11 rockaway, and all other vehicles for passengers, and  
12 drawn by two horses, (except omnibuses,) ten cents;  
13 for each additional horse to any of the vehicles before  
14 named, two cents; for each truck, cart, wagon, or  
15 other vehicle drawn by one horse or other beast, six

16 cents ; for each omnibus, truck, cart, or other vehicle  
17 not hereinbefore described, and drawn by two horses  
18 or other beasts, eight cents ; for each additional horse  
19 or other beast to the last-named vehicles, two cents ;  
20 for each carriage or other vehicle attached to any  
21 other vehicle and drawn by it, two cents ; for neat  
22 cattle, two cents per head ; for sheep and swine, one-  
23 half cent per head ; and only one person shall be  
24 suffered to pass free of toll as driver of any team.

1    SECT. 8. Upon assuming control of said bridges  
2 as herein provided, said tolls shall be levied and col-  
3 lected by said city of Charlestown until a sum shall  
4 be raised equal to the amount expended in rebuilding  
5 and repairing said bridges, to the current expenses of  
6 said bridges while such repairs are being made, and  
7 to the sum of one hundred thousand dollars additional  
8 thereto, exclusive of all expenses, costs and charges  
9 for or on account of said bridges before that time  
10 accrued or expended ; after which time the said bridges  
11 shall forever be kept free from tolls, and maintained  
12 at the expense of said city of Charlestown.

1    SECT. 9. If, at the time this act takes effect, there  
2 shall be in the treasury of the Commonwealth, or in  
3 the hands of the agent of said bridges, or elsewhere,  
4 any moneys or other things belonging to said bridges,  
5 the same shall be accounted for, paid over and deliv-  
6 ered to the city of Charlestown ; and all claims  
7 against said bridges unsettled at the time this act  
8 takes effect shall be adjusted and paid by said city of  
9 Charlestown.

1 SECT. 10. The management and control of said  
2 bridges shall be exercised by the city council of said  
3 city of Charlestown, which may make such rules and  
4 regulations in relation thereto, and provide for the  
5 appointment of such agents and officers to carry out  
6 the provisions of this act, and make such investment  
7 and disposal of the funds realized from said tolls, as  
8 may be deemed expedient.

1 SECT. 11. The seventh section of this act shall  
2 take effect on and after its passage; but the other  
3 sections thereof shall not take effect unless the inhab-  
4 itants of said Charlestown, qualified by law to vote in  
5 city affairs, shall accept the same at meetings held in  
6 the various wards of said city in the months of April  
7 or May, in the year eighteen hundred and fifty-five;  
8 said meetings to be called by the mayor and alder-  
9 men, and warned at least seven days before the day  
10 when said meetings are held. And if said inhabi-  
11 tants shall accept this act at such meetings, it shall  
12 take effect on the first day of June next; but other-  
13 wise it shall have no effect, but become void. And in  
14 case it shall be so accepted, it shall be the duty of the  
15 mayor of said Charlestown to notify the governor  
16 thereof, in writing, immediately.

1 SECT. 12. All acts inconsistent herewith are here-  
2 by repealed.